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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/522,281

01/25/2005

Gerardus Wilhelmus Theodorus Van Der Heijden

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

KHAN, ASHER R

ART UNIT

PAPER NUMBER

2621

MAIL DATE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/522,281	<b>Applicant(s)</b> VAN DER HEIJDEN ET AL.	
	<b>Examiner</b> ASHER KHAN	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2005 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/18/2006; 1/25/2005</u> .                                    | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2. Claim 1-3, 6-7, 9 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,453,115 to Boyle in view of U.S. Patent Pub. 2003/0077073 A1 to Lin et al. "Lin"**

As to claims 1 and 11, Boyle disclose a method for providing user controlled implementation of trick play modes of operation of digital video data, comprising the steps of :

a) providing (302) a user interface (400) on a display device (14)(Col. 12, lines 19-22);

Boyle does not expressly disclose steps of :

b) prompting the user to select a speed (402) on the user interface at which the trick play mode will operate; and

c) prompting the user on the user interface to select how the selected speed is implemented.

Lin discloses steps of :

b) prompting the user to select a speed (402) on the user interface at which the trick play mode will operate (0012-0015); and

c) prompting the user on the user interface to select how the selected speed is implemented (0012-0015)(0018).

At the time of invention it would have been obvious to a person of ordinary skill in the art to combine Boyle with the teachings of Lin. Rationale to combine would have been that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

As to claim 2, Lin further discloses wherein the trick play mode is a fast forward operation (0030).

As to claim 3, Lin further discloses wherein the trick play mode is a fast rewind operation (0030).

As to claim 6, Lin discloses further comprising the step of storing the selected implementation for later recall (0044).

As to claim 7, Lin discloses wherein the digital video data is compressed according to the MPEG standard, further comprising the step of prompting the user on the user interface to select how many B and P frames are inserted during the trick play mode ( Fig. 4; 0049-0053).

As to claim 9, Lin further discloses further comprising the step of creating a video stream for display based on the selected criteria (0044).

As to claim 10, Boyle discloses wherein a list of possible implementations are displayed on the user interface for the user to select from (Col. 12, lines 19-32).

**3. Claim 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,453,115 to Boyle in view of U.S. Patent Pub. 2003/0077073 A1 to Lin et al. "Lin" in view of U.S. Patent No. 4,046,916 B1 to Morris et al. "Morris" and in further view of U.S. Patent Pub. 2002/0018646 A1 to Nishi et al "Nishi"**

As to claim 4, Boyle as modified as proposed in claim 1 does not expressly disclose wherein the step of selecting how the selected speed is implemented comprises the steps of:

- a) selecting (306) how many successive I-frames are skipped after a displayed I-frame; and
- b) selecting (306) how long each displayed I-frame is displayed.

Morris discloses wherein the step of selecting how the selected speed is implemented comprises the steps of :

- a) selecting (306) how many successive I-frames are skipped after a displayed I-frame (Col. 4, lines 66-67; Col 5, lines 1- 9);

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Boyle as modified with the teachings of Morris. Motivation to combine would have been to allow a user to control skipping of a movie from one part to another part of a movie in a precise way.

Nishi discloses the step of:

b) selecting (306) how long each displayed I-frame is displayed (0053).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Boyle as modified with the teachings of Nishi. Motivation to combine would have been to allow a user to control reproduction of each frame to save time for the user.

As to claim 5, Lin discloses wherein the step of selecting how the selected speed is implemented comprises the step of selecting:

a speed (402) at which the digital video data is displayed (0012-0015)

Nishi discloses a time period (404) how long a frame is displayed (Fig. 4; 0053). In addition same motivation is used as the rejection for claim 4.

Morris discloses the method further comprises the step of computing how many frames are skipped after displaying one (Col. 4, lines 66-67; Col 5, lines 1- 9). In addition same motivation is used as the rejection for claim 4.

**4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,453,115 to Boyle in view of U.S. Patent Pub. 2003/0077073 A1 to Lin et al. "Lin" and in further view of U.S. Patent Pub. 2002/0018646 A1 to Nishi et al "Nishi"**

As to claim 8, Boyle as modified does not expressly disclose wherein the step of selecting how the selected speed is implemented comprises the step of:  
selecting how long each I-frame is displayed. But discloses selecting how many times each I-frame is displayed.

Nishi discloses wherein the step of selecting how the selected speed is implemented comprises the step of:

selecting how long each I-frame is displayed (0053). In addition same motivation is used as the rejection of claim 4.

Lin discloses selecting how many times each I-frame is displayed (Fig. 4, step 415; 0048-0053). In addition same motivation is used as the rejection of claim 1.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHER KHAN whose telephone number is (571)270-5203. The examiner can normally be reached on 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/A. K./  
Examiner, Art Unit 2621

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621